

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY**

Filed: 2/22/99
49th Day: 4/12/99
180th Day: 8/21/99
Staff: Padilla-LB
Staff Report: 3/23/99
Hearing Date: 4/13-16/98
Commission Action:

TU 3k

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-99-082

APPLICANT: Street Retail West 4, L.P.

AGENT: RTK Architects

PROJECT LOCATION: 1232-1240 Third Street, Santa Monica

PROJECT DESCRIPTION: Demolition of approximately 17,000 square feet of a 19,000 square foot two-story mixed commercial use building and construction of a two-story, 39-foot high, 28,889 square foot retail building.

Lot area:	15,000 square feet
Building coverage:	11,370 square feet
Parking spaces:	N/A; Downtown Parking Assessment District
Zoning:	Bayside Downtown Commercial
Plan designation:	Commercial
Ht abv fin grade:	39 feet

LOCAL APPROVALS RECEIVED: Approval In Concept; Administrative Approval 98-044

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed project with no special conditions.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Santa Monica Land Use Plan (LUP) Certified with Suggested Modifications, 1992.
2. Parking Analysis prepared by Kaku Associates, June 1988 (updated 1991).
3. Parking Analysis Update prepared by Meyer, Mohaddes Associates, October 1993
3. 5-87-592 (City of Santa Monica)
4. 5-87-643 (City of Santa Monica)
5. 5-88-384 (Arizona/Third Street Partnership)
6. 5-96-243 (CIM Group)

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval

The Commission hereby grants a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions.

NONE

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to demolish approximately 17,000 square feet of a 19,000 square foot two story mixed commercial use building and construct a two-story, 39-foot high, 28,889 square foot retail building. An existing, approximately 2,000 square foot restaurant that is part of the existing 19,000 square foot building will not be demolished and will remain in operation.

The proposed project site is a 15,000 square foot parcel in the City of Santa Monica. The site is within the City's Downtown Parking Assessment District.

B. New Development

Section 30250 of the Coastal Act states in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources....

The proposed project will be located in downtown Santa Monica which consists of a mixture of office, retail, residential, and visitor serving commercial uses. The Commission in prior actions on Coastal permits has indicated that downtown Santa Monica is a location in which new commercial development should be concentrated. Furthermore, policy #70 of the City's certified Land Use Plan states that:

Allowable uses shall include retail, pedestrian oriented, visitor-serving commercial, public parking uses and other complementary uses (such as hotels, offices, cultural facilities, restaurants, social services, and housing).

Surrounding uses include low and high rise office buildings, surface parking lots, restaurants and other commercial establishments. The LUP limits development to a height of 56 feet or 84 feet with site plan review. The height of the proposed project will be approximately 39 feet and will be within the height limit for the downtown area. The proposed project will be compatible with the character and scale of the surrounding area. The Commission therefore, finds that the proposed project will be consistent with applicable policies of the certified LUP and with Section 30250 of the Coastal Act.

C. Public Access/Parking

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by providing adequate parking facilities.

The proposed project is located within the City of Santa Monica's downtown Parking Assessment District. The boundaries of the Parking District are Fourth Court, Broadway, First Court, and Wilshire Boulevard. The Parking District was formed to levy an additional businesses license tax and an annual ad valorem assessment to development within the area to pay for and to provide parking to all business within its boundaries. Parking within the Parking District is provided in six parking structures located within a four-block area. A total of approximately 3,128 parking spaces are provided by the six structures. Of this total, 2,480 spaces are available to the public (Parking Analysis Update for the Third Street Promenade/Bayside District, October 1993, prepared by Meyer, Mohaddes Associates). Businesses located within the boundaries of the Parking District are not required to provide on-site parking.

Although projects within the Parking District are not required to provide parking, the parking supply within the district must be adequate to support the demand generated by existing and new developments that do not provide their own parking or are deficient in their supply of on-site parking.

According to the 1993 parking demand analysis for the Third Street Promenade, the current day (between 9:00 AM and 6:00 PM) peak utilization rate for all six parking structures is approximately 1,453 vehicles (56% utilization rate) and occurs between 2:00 to 3:00 P.M during the weekday. During this time the demand for public spaces during the weekday is approximately 1,587 spaces (64% utilization rate). During the weekend the peak utilization is 1,388 spaces (56% utilization rate). Therefore, there is a surplus of approximately 893 spaces at peak times on the weekdays and 1,388 spaces at peak times on weekends.

Subsequent to the 1993 update, the Commission has approved a number of additional projects within the District. These additional projects further reduce the amount of parking available to the public. Based on the demand generated by the additional projects approved since 1993 there are approximately 591 spaces during the weekday and 1,306 spaces during the weekend available for public use.

The proposed project will generate a parking demand of approximately 128 parking spaces based on the Commission's parking standard of 1 parking space per 225 feet of retail space. Based on the proposed project's demand and the existing demand there will be a net increase in demand of 55 parking spaces for the proposed project. Therefore, based on the demand generated by the new development there is an adequate surplus of available public parking within the parking district to support the proposed use. Therefore, the Commission finds that the proposed project will not adversely impact public access and will be consistent with past Commission permit action for the area and with Section 30211 and 30252 of the Coastal Act.

D. Local Coastal Program

(a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson Way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

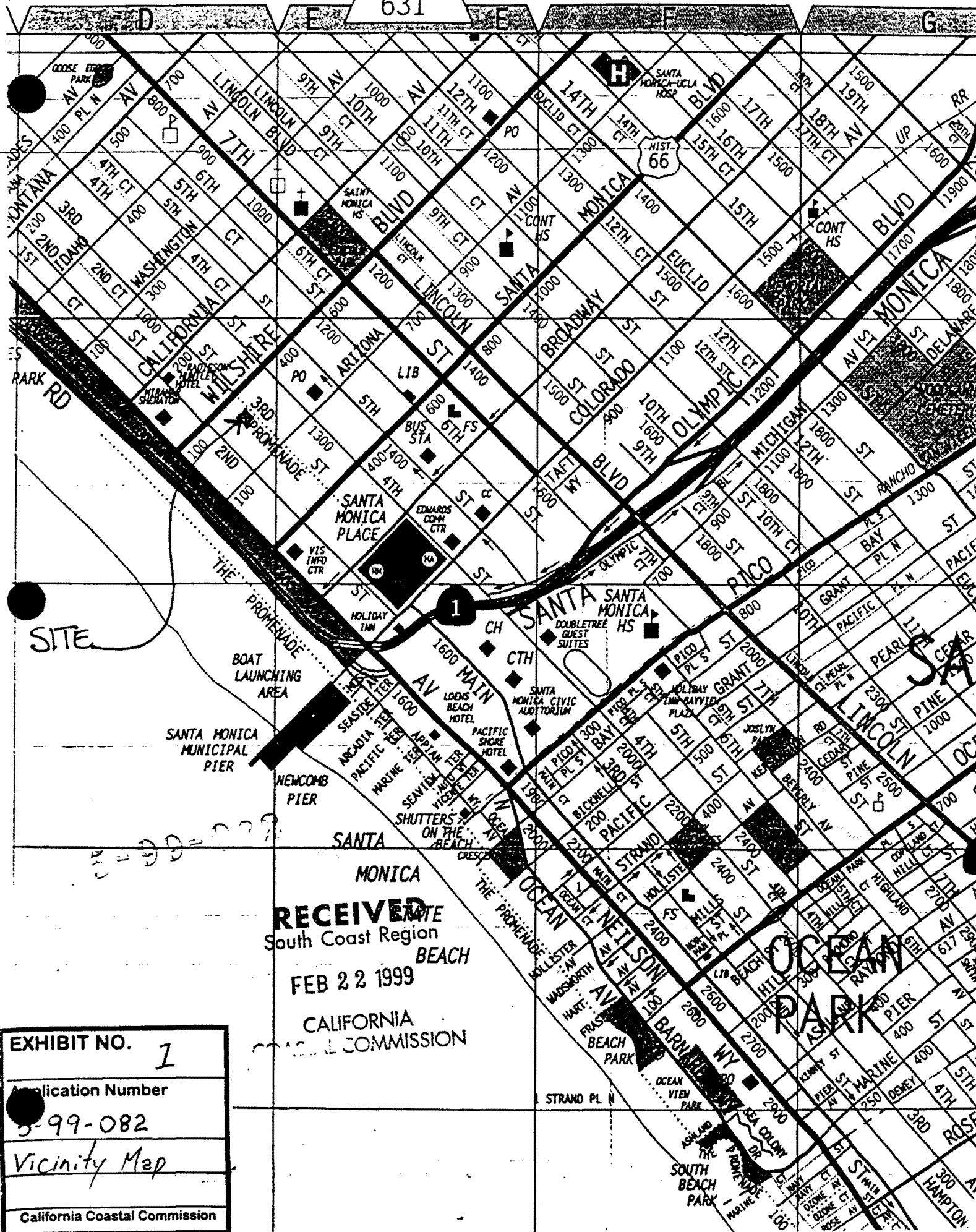
As discussed above, the Commission finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare a Local Coastal Program Implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

As proposed, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

SEE 631 MAP



A1.1

EXHIBIT NO. 4

Application Number

5-99-082

Mezzanine & Roof

Plan

California Coastal Commission

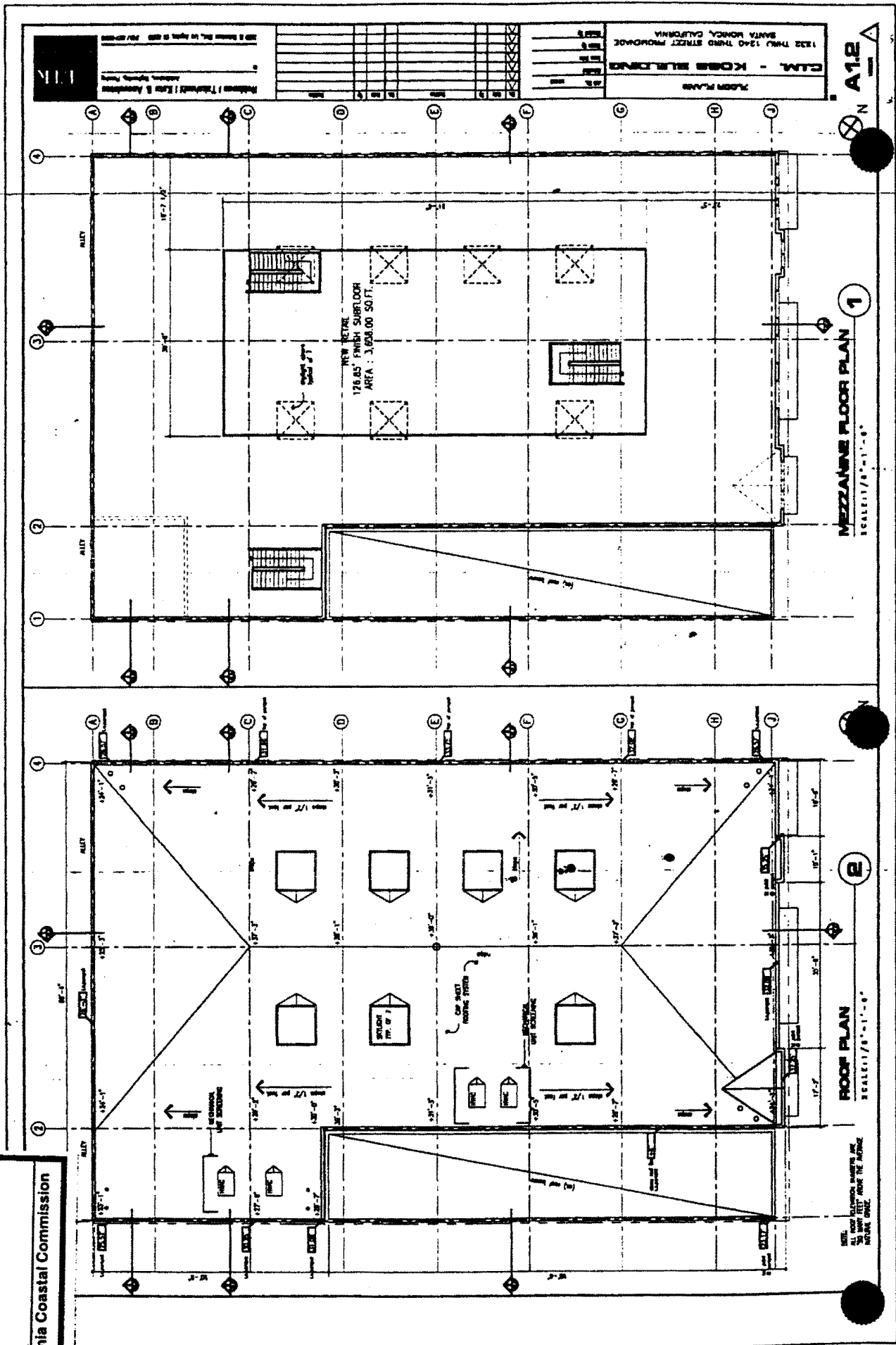


EXHIBIT 5

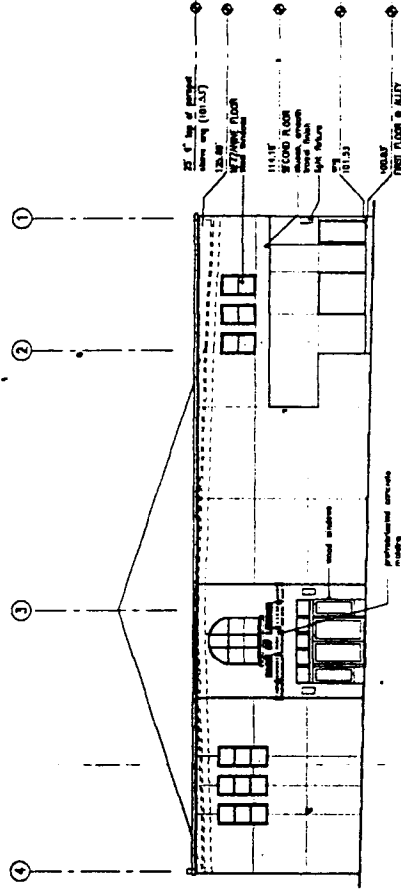
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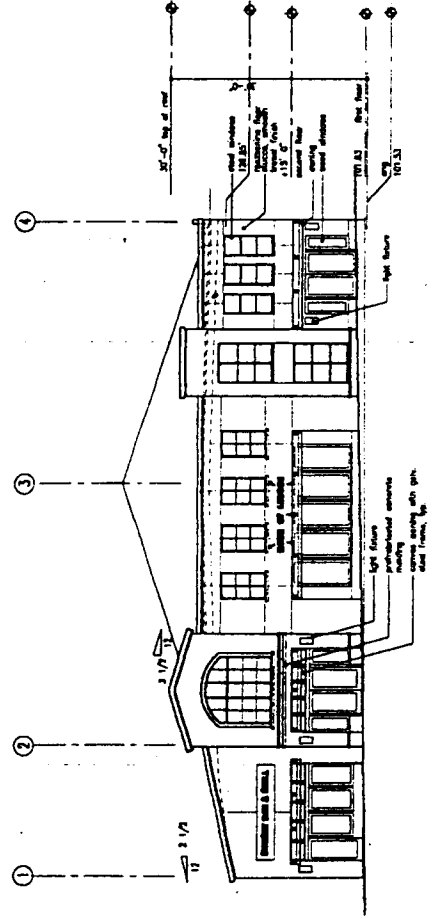
Elevations

California Coastal Commission

ELEVATION		CLM - KOSK BUILDING		1232 THIRD STREET PROWIDE SANTA MONICA, CALIFORNIA	
DATE	10/1/99	BY	10/1/99	SCALE	1/8" = 1'-0"
PROJECT	CLM - KOSK BUILDING	CLIENT	CLM - KOSK BUILDING	DESIGNER	CLM - KOSK BUILDING
ARCHITECT	CLM - KOSK BUILDING	ENGINEER	CLM - KOSK BUILDING	LANDSCAPE	CLM - KOSK BUILDING
MECHANICAL	CLM - KOSK BUILDING	ELECTRICAL	CLM - KOSK BUILDING	PLUMBING	CLM - KOSK BUILDING
HEATING	CLM - KOSK BUILDING	Cooling	CLM - KOSK BUILDING	Lighting	CLM - KOSK BUILDING
Sound	CLM - KOSK BUILDING	Security	CLM - KOSK BUILDING	Other	CLM - KOSK BUILDING



SOUTH - WEST ELEVATION 2
SCALE: 1/8" = 1'-0"



NORTH - EAST ELEVATION 1
SCALE: 1/8" = 1'-0"

A1.3